

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

This matter is before the Court on the findings and recommendation of the magistrate judge (Filing No. [41](#)), in which the magistrate judge recommends that defendant's motion to dismiss (Filing No. [20](#)) and the motion to suppress evidence (Filing No. [22](#)) should be denied. The Court has reviewed the transcript of the evidence received by the magistrate judge, and notes no objections have been filed by defendant.

The Court finds that the magistrate judge's findings and recommendations should be approved and adopted by the Court. Accordingly,

IT IS ORDERED:

- 1) The findings and recommendation of the magistrate judge are approved and adopted.
  - 2) The motion to dismiss is denied.

3) The motion to suppress evidence is denied.

4) Trial of this matter is scheduled for:

**Tuesday, January 3, 2012, at 9 a.m.**

in Courtroom No. 5, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska, or as soon thereafter as may be called by the Court. This will give the parties time to pursue plea negotiations or prepare for trial, and the ends of justice will be served by continuing this case and outweigh the interests of the public and the defendants in a speedy trial. The additional time between November 30, 2011, and January 3, 2012, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. 18 U.S.C. § 3161(h) (8) (A) & (B).

DATED this 30th day of November, 2011.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court